

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Bail Appl..No. 1302 of 2007()

-----  
CMP.278/2007 of J.M.F.C.-II, KANJIRAPPALLY  
CRIME NO.3/2007 OF KANJIRAPPALLY EXCISE RANGE  
.....

PETITIONER/ACCUSED  
-----

THANKACHAN, @ PAMPADY THANKACHAN,  
MADEL HOUSE, EZHUKKUM MANNU KARA,  
ERUMELY SOUTH VILLAGE, KANJIRAPPALLY TALUK.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS: STATE  
-----

STATE OF KERALA REPRESENTED BY  
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**V.RAMKUMAR, J.**

-----  
Bail Application No. 1302/2007  
-----

Dated this 5<sup>th</sup> day of March, 2007

**O R D E R**

The petitioner who is the accused in C.R.No.3/2007 of Kanjirappally Excise Range for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of 80 litres of illicit arrack on 13.1.2007 and who was arrested on 19.1.2007, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

**V.RAMKUMAR,  
JUDGE**

mrCS

